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Donald J. Trump and Trump Organization LLC

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

DONALD J. TRUMP and TRUMP
ORGANIZATION LLC,

Plaintiffs,

v.

LETITIA JAMES, in her official capacity as
Attorney General for the State of New York,

Defendant.

Civil Action No.: 1:21-cv-01352-BKS-CFH

**NOTICE OF PLAINTIFFS' MOTION
FOR PRELIMINARY INJUNCTION**

PLEASE TAKE NOTICE that pursuant to Rule 65 of the Federal Rules of Civil Procedure, Plaintiffs Donald J. Trump and Trump Organization LLC ("Plaintiffs") by their undersigned counsel of record, hereby move this Court before the Honorable Brenda K. Sannes, in the United States District Court, Northern District of New York, Albany, New York, for a preliminary injunction against the Defendant, Letitia James ("Defendant"), for an order: (1) granting Plaintiffs a preliminary injunction staying the Defendant's and the Office of the New York Attorney General's active civil investigation of Plaintiffs for the duration of this action and pending resolution thereof; or (2) in the alternative, requiring that Defendant recuse herself from

involvement in any capacity in the active civil and criminal investigation of Plaintiffs for the duration of this action and pending resolution thereof. Plaintiffs' motion is based on the attached memorandum of law, Declaration of Alina Habba, Esq. in Support of Plaintiffs' Motion for Preliminary Injunction (the "Motion") dated January 4, 2022, other filings, and any oral argument or evidence presented at the preliminary injunction hearing. Plaintiffs are entitled to a preliminary injunction because they have shown "(a) irreparable harm and (b) either (1) likelihood of success on the merits or (2) sufficiently serious questions going to the merits to make them a fair ground for litigation and a balance of hardships tipping decidedly toward the party requesting the preliminary relief." *Citigroup Glob. Markets, Inc. v. VCG Special Opportunities Master Fund Ltd.*, 598 F.3d 30, 35 (2d Cir. 2010).

Dated: January 10, 2021.
New York, New York

Respectfully submitted,



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